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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/182,745	10/28/1998	CHRISTOPHER CLEMMETT MACLEOD BECK	P3316	2355

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 06/06/2003

36

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/182,745

Applicant(s)

MACLEOD BECK ET AL.

Examiner

Cong-Lac Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 3/31/03 to the application filed on 10/28/98.
2. Claims 1-20 are pending in the case. Claims 1, 6, 11, 16 are independent claims.
3. The rejections of claims 1-2, 6-7, 16-17 under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood have been withdrawn in view of Applicants' arguments.
4. The rejections of claims 3-5, 8-15, 18-20 under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood and further in view of Goetz have been withdrawn in view of Applicants' arguments.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-2, 6-7, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood (US Pat No. 5,983,218, 11/9/99, referred as Syeda) in view of Gill et al. (US Pat 6,052,514, 4/18/00, filed 1/18/95, priority 10/1/92).

Regarding independent claim 16, Syeda discloses:

- accessing and rendering media from multimedia files in a data repository (col 3, lines 61 to col 4, lines 1-30; col 1, lines 11-48; col 2, lines 13-23: the multimedia database is designed so that user can access the data by posing a query via *interactive dialogue between the web client and multimedia database* to retrieve the desired data)
- wherein the multimedia files include at least telephony, interactive voice response (IVR), and emails (col 11, lines 9-16: the fact that the multimedia content can be images, video, and audio, text suggests to include telephony, IVR, and emails in the multimedia files since telephony and IVR are forms of audio, and emails are forms of text)

Syeda does not disclose the code set for accessing and rendering media code from multimedia files in a data repository as well as software modules providing functionality for an Interactive Multimedia Application (IMA) and the *Interactive Multimedia Viewer*

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(IMV). However, Syeda can perform accessing and rendering media from multimedia files stored in a data repository and provides the *interactive dialogue for accessing and rendering multimedia data* (col 4, lines 4-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Syeda to include the code set to perform said accessing and rendering and the Interactive Multimedia Application because of the following reason. The ability of performing accessing and rendering of Syeda implies that the software program in Syeda should include related software modules as well as associated codes implemented to perform these functions. Further, accessing and rendering multimedia data via the interactive dialogue suggests that the application in Syeda be a Interactive Multimedia Application.

Syeda also does not disclose limiting access to preselected media files.

Gill discloses limiting access to preselected media files (col 10, line 58 to col 11, line 35: the access to the multimedia files such as articles, pictures is controlled and only granted based on the access privileges of users).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Gill into Syeda since Gill provides limiting access to the multimedia publication system, which is a form of databases, based on the access privilege of each user and Syeda provides a system for accessing and rendering multimedia data. The combination of Gill and Syeda would enhance the security of the database repositories by controlling an amount of data to be retrieved based on the

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user access privileges. Since Gill provides the limiting feature in accessing databases, Gill inherently provides the selective control of accessing database repositories.

Furthermore, since Gill and Syeda disclose accessing and presenting media code from multimedia files stored in a data repository and restricting access to multimedia files, which are significant features of the Interactive Multimedia Application, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have employed Gill and Syeda to joint the features together to assemble an Interactive Multimedia Application for a Multimedia Communication Center environment.

Regarding claim 17, which is dependent on claim 16, as in claim 16, Syeda does not disclose one or more software interfaces to the first selectable software modules.

Instead Syeda discloses a user interface for database site selection (col 4, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Syeda to incorporate said software interfaces since the fact that Syeda provides an interactive dialogue, which is an interface, for selecting database, implies that the associated software and modules should be included.

Independent claim 1 is an object-oriented programming interface to perform the method of claim 16, and is rejected under the same rationale.

Claim 2, which is dependent on claim 1, is software module comprising one software interface to perform the method of claim 17, and is rejected under the same rationale.

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Independent claim 6 is a programming application to perform the method disclosed in claim 16, and is rejected under the same rationale.

Claim 7, which is dependent on claim 6, is a programming application to perform the method of claim 17, and therefore is rejected under the same rationale.

8. Claims 3-5, 8-15, 18-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood in view of Gill as applied to claim 16 above, and further in view of Goetz et al. (US Pat No. 5,956,729, 9/21/99).

Regarding claim 18, which is dependent on claim 16, Syeda and Gill do not disclose that the IMV is adapted to access and render multimedia code of only one type. Goetz discloses that an application may support several instances of a particular media type (col 3, lines 2-11).

Even though Goetz fails to mention of the code for accessing and rendering of multimedia files, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included Goetz to Syeda. The fact that Goetz shows the supporting of several instances of a particular media type implies that Goetz includes that type of code to perform such function.

Regarding claim 19, which is dependent on claim 16, Syeda and Gill do not disclose that the IMV is adapted to access and render multimedia code of more than one type.

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Goetz discloses that the invention includes a multimedia file for organizing at least one type of media on a computer-readable medium, such as a CD Rom, hard disk, or the like. The multimedia file is capable of storing and identifying multiple instances of at least one media type (col 3, lines 18-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Goetz to Syeda since Goetz further provides the access and rendering a multimedia file of at least one type, which means one type or more than one type of media.

Regarding claim 20, which is dependent on claim 16, Syeda and Gill do not disclose that the multimedia files stored in the data repository represent multimedia transactions, and are characterized with tags *according to one or more of* date, time, participants, file type; company affiliation of participants, subject or issue, and relationship to other multimedia files.

Goetz discloses:

- multimedia files stored in the data repository represent multimedia transactions (col 11, lines 21-38)
- file type of a multimedia file (col 11, lines 26-38)

Goetz does not explicitly disclose the tags that characterize multimedia files as claimed. However, the MIME type in Goetz using to *specify the type* of a multimedia file. This shows that the MIME extension included in the URL, as a tag, *characterizes the type* of the multimedia file.

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Goetz to Syeda to obtain details of multimedia files stored in the repository wherein the multimedia files include multimedia transactions, have tags for representation of information according one or more of date, time, participant, file type, etc, in addition to the feature of accessing, rendering, and editing multimedia files as mentioned above.

Claims 3-5 are IMV software modules to perform the method of claims 18-20, and are rejected under the same rationale.

Claims 8-10 is a programming application to perform the method of claims 18-20, and are rejected under the same rationale.

Independent claim 11 is for a multimedia communication center which includes the limitations of claim 6, the storage system for recording multimedia file (rejected in claim 20), and the access interface (Syeda, col 4, lines 19-30), therefore is rejected under the same rationale applied to these claims.

Claim 12, which is dependent on claim 11, comprising software interfaces disclosed and rejected in claim 17 above, and is rejected under the same rationale.

Claims 13-15 is for a multimedia communication center including the IMV disclosed in the method of claims 18-20, and therefore are rejected under the same rationale.

Response to Arguments

9. Applicant's arguments filed 3/31/03 have been fully considered but they are not persuasive.

Regarding independent claim 16, Applicants argue Syeda does not teach a method for assembling an application for accessing various databases and does not teach an IMA (Interactive Media Application). According to Applicants, Syeda only teaches an application for accessing a database (Remarks, pages 7-8).

Examiner respectfully disagrees.

Syeda teaches not only accessing a database but also assembling an application for accessing various databases (col 5, line 20 to col 6, line 42). The fact that Syeda method shows the capability of directing queries to relevant sites indicates accessing to these relevant sites to fetch the responses for the queries.

The functionality of the Interactive Multimedia Application as claimed in claims 1, 6, 11 and 16 is for accessing and presenting media code from multimedia files stored in a data repository. Syeda discloses assessing and presenting multimedia files for a query (col 5, line 20 to col 6, line 42), and via an interactive dialogue (col 4, lines 4-30).

Syeda, therefore, discloses the features of the Interactive Multimedia Application, and thus suggests an Interactive Multimedia Application.

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Syeda discloses accessing various databases. This implies that the Syeda software is formed for assembling an application for accessing various databases.

Applicants argue that the meta-database as well as the template in Syeda is not an application or a software module as known in the art (Remarks, page 9).

Examiner agrees that the meta-database is not an application or a software and the template is not an application or a software.

However, as mentioned above, Syeda method discloses the features of an Interactive Media Application, which are accessing and presenting the multimedia files stored in the database repositories via an interactive dialogue. Syeda, therefore, suggests an Interactive Multimedia Application (IMA) for accessing multimedia repositories. Also, it was well known that Syeda has to use a software with related modules and code set to carry out the process of accessing and presenting the multimedia files stored in the database repositories. What is needed to show is that Syeda has the features for assembling an IMA, not a software or a module for assembling IMA since any process needs a software with proper software modules and program code implemented to perform the defined functions.

Applicants argue that the Examiner misinterprets the claimed limitation. Applicants claim restricting access to files in the database holding said files. Syeda does not restrict access, only eliminates duplicate files that have already been accessed and retrieved (Remarks, page 10).

Examiner agrees.

Gill, cited in this office action, discloses the feature of restricting access to files in the databases (col 10, line 58 to col 11, line 35).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grady et al. (US Pat No. 5,625,404, 4/29/97, filed 5/31/95).

Grady et al. (US Pat No. 5,802,283, 9/1/98, filed 5/29/96).

Tullis et al. (US Pat No. 5,802,314, 9/1/98, filed 6/5/95).

Jolly (US Pat No. 6,061,054, 5/9/00, filed 1/31/97).

Ariga (US Pat No. 5,920,865, 7/6/99, filed 9/12/97).

Dent et al. (US Pat No. 6,128,603, 10/3/00, filed 9/9/97).

Kozdon et al. (US Pat No. 6,226,285 B1, 5/1/01, filed 4/11/97).

Speicher (US Pat No. 6,243,375 B1, 6/5/01, filed 5/29/97, priority 11/8/96).

Jaisimha et al. (US Pat No. 6,487,663 B1, 11/26/02, filed 10/19/98).

Schmandt, Phoneshell: the Telephone as Computer Terminal, ACM September 1993, pages 1-10.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone

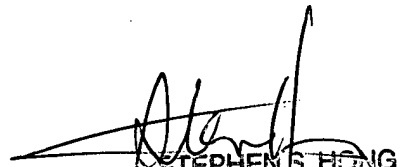
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numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh

5/23/03



STEPHEN G. HONG
PRIMARY EXAMINER